

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph R. Byrum *et al.*

Serial No.: 10/618,101

Filed: July 11, 2003

For: HIGH YIELDING SOYBEAN IN PLANTS
WITH INCREASED SEED PROTEIN
PLUS OIL

Group Art Unit: 1638

Examiner: Keith O. Robinson

Atty. Dkt. No.: MSUT:008US

CERTIFICATE OF ELECTRONIC TRANSMISSION 37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

June 17, 2009
Date

/Ron J. Laby/
Ron J. Laby

TELEPHONIC INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

On May 21, 2009 Applicants' representative Ron Laby spoke telephonically with Examiners Keith Robinson and David Kruse, regarding obviousness rejections over Wilcox (*Crop Sci.* 38:900, 1998) individually and in view of Conway (U.S. Patent 6,140,556).

Applicants' representatives reiterated, as discussed in the response filed November 18, 2008, that the claimed invention was not obvious, and further pointed to Wilcox (*Crop Sci.* 38:1536-1540, 1998), recently cited, as demonstrating non-obviousness. No agreement on allowable claims was reached in view of the obviousness rejection. The Examiners requested

that arguments relating to this Wilcox 1998 reference, or other references cited after issuance of the final rejection, be put on record. Applicants would like to thank the Examiners for the time taken for the call.

Respectfully submitted,

/Ron J. Laby/

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Date: June 17, 2009